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PATENT

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Attorney Docket No.	Serial No.	
165P5US01	10/796,844	

TOTAL NO. OF PAGES: <u>5</u> Sent to Facsimile No.: <u>703-872-9306</u>

Examiner Phone No.: _____

FACSIMILE TRANSMITTAL LETTER

MS: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In re Application of:	John H. Koester		
Serial No.:	10/796,844	Examiner:	
Confirmation No.:		Art Unit:	
Filed:	March 9, 2004		
For:	HEAD JOINT DRAINAGE DEVICE, WALL SYSTEM AND METHOD FOR DRAINING MOISTURE FROM A HEAD JOINT		
We are transmitting the	following documents:		
	etter [1 page] Statement (37 C.F.R. 1.97(b)) [2 Statement by Applicant [2 page]		

Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Respectatily submitted,				
Registration No. 28,052	Direct Dial 612-331-7405	Willia DB-		
Date: June 2, 200	4	William D. Bauer		
	United States Patent and Trademark Office			
İ	Customer No. 23322			
Certificate of Facsimile Transmission				
Pursuant to 37 CFR 1.8, I certify that this correspondence is being sent to the telephone number shown below, addressed to: MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.				
To Facsimile Number 703-872-9306		Signature Signature Signature		
Date		Printed Name		
June 2, 2004		William D. Bauer		

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John H. Koester

Examiner:

Serial No.:

10/796,844

Art Unit:

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Filed:

March 9, 2004

Confirmation No.:

JUN 022004

Docket No.:

165P5US01

For:

HEAD JOINT DRAINAGE DEVICE, WALL SYSTEM AND

METHOD FOR DRAINING MOISTURE FROM A HEAD JOIN

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being sent to telephone number 703-872-9306 addressed to: MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 2, 2004

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

MS: Amendment Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with the Notice signed July 11, 2003 at 1276 OG 55, copies of the U.S. patents listed on the enclosed Form 1449 are not enclosed.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialled by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 500549.

Respectfully submitted,

JOHN H. KOESTER

Date: 0., - 7, 2004

Bv:

William D. Baue

Reg. No. 28,052

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Minneapolis, MN 55418

Telephone (612) 331-7405

WDB:das

OMB No. 0651-0031 Page 1 of 3

Substitute for Form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

aplete if Known
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10/796,844
March 9, 2004
John H. Koester
165P5US01

Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, When	re
Initials	No.	Number-Kind Code	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevar Figures Appear	
		US-1,444,709	02-06-1923	Sea		
		US-2,264,961	12-02-1941	Ward		_
		US-3,318,056	05-09-1967	Thompson		_
		US-3,498,015	03-03-1970	Seaburg et al.		
		US-3,654,765	04-11-1972	Healy et al.		
		US-3,888,087	06-10-1975	Bergsland		_
		US-4,114,335	09-19-1978	Carroll		_
		US-4,189,886	02-26-1980	Frohlich et al.		
		US-4,381,630	05-03-1983	Koester		
		US-4,507,901	04-02-1985	Carroll		_
		US-4,745,716	05-24-1988	Kuypers		_
		US-5,598,673	02-04-1997	Atkins		_
		US-5,692,348	12-02-1997	Ambrosino		_
		US-5,713,696	02-03-1998	Horvath et al.		
		US-5,826,390	10-27-1998	Sacks		
	·	US-6,298,620	10-09-2001	Hatzinikolas		_
		US-6,355,333	03-12-2002	Waggoner et al.		_
		US-6,410,118	06-25-2002	Reicherts et al.		
		US-2002/0108333	08-15-2002	Clayton		_
				. L		_
Examiner	Clea			T DOCUMENTS		
Initials	Cite No.	Foreign Patcut Document	Publication Date MM-DD-YYYY	Name of Patcutee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant	Γ
Ì		Country Code/Number/Kind			Figures Appear	┢

EXAMINER	Date Considered
*Examiner: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with part or	onformance with MPEP 609; Draw line through citation if not in

OMB No. 0651-0031

				Page 2	of
Substitute for Form 1449/PTO INFORMATION DISCLOSURE		Complete if Known.			
		Application Number	10/796,844		
		Filing Date	March 9, 2004		
		First Named Inventor	John H. Koester		
STA	STATEMENT BY APPLICANT		Art Unit		
			Examiner Name		
			Attorney Docket No.	165P5US01	
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EXAMINER	Date Considered		
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